ANNEXURE A

THE MYSORE STATE AGRICULTURAL UNIVERSITIES BILL, 1973.

(L.A. BILL No. 36 OF 1973)

A Bill to provide for establishment of Universities for the development of Agriculture, Animal Husbandry and allied sciences in the State of Mysore.

WHEREAS by the University of Agricultural Sciences Act, 1963 (Mysore Act 22 of 1963) a University of Agricultural Sciences was established for the whole of the State of Mysore ;

WHEREAS having regard to the strong aspirations and feelings of the people of the Bombay and Hyderabad Areas and with a view to accelerating agricultural development in that region it is considered necessary to establish and incorporate a separate Agricultural University in the Bombay and Hyderabad Areas of the State of Mysore.

AND WHEREAS it is considered expedient to have a common Act for all Agricultural Universities in the State ;

BE it enacted by the Mysore State Legislature in the Twenty-fourth year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Mysore State Agricultural Universities Act, 1973.

(2) It shall come into force on such date as the State Government may, by notification in the official gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(1) "Academic Council" means the Academic Council of the University;

(2) "Agricultural Science" means the basic and applied sciences of soil and water management, crop production including production of all garden crops, animal-husbandry, including dairying and veterinary science, fisheries, forestry, farm forestry, home economics, agricultural engineering and technology, marketing, processing, co-operation, land use and management and the economic and social uplift of the rural people;

(3) "appointed day" means the date notified by the State Government under sub-section (2) of section 1;

(4) "Board" means the Board of Regents of the University;

(5) "college" means a constituent college of the University;

(6) "Division" means a Division constituted by the University;

(7) "prescribed" means prescribed by the Statutes of the University;

(8) "Statutes" and "Regulations" means respectively the Statutes and Regulations of the University made under this Act;

(9) "student of the University" means a person enrolled in the University for undergoing a course of study for a degree, diploma or other academic distinction duly instituted;

(10) "teacher" means a person appointed or recognised by the University for the purpose of imparting instruction or conducting and guiding research or extension programmes and includes a person declared by the Statutes to be a teacher;

(11) "University" means a University established under this Act;

(12) "University Area" means the area under the jurisdiction of the University;

(13) "University of Agricultural Sciences" means The University of Agricultural Sciences established under the University of Agricultural Sciences Act, 1963.

CHAPTER II

THE UNIVERSITIES

3. *Establishment and incorporation of Universities.*— (1) There shall be established with effect on and from the appointed day the following Universities, namely:—

(a) The Bangalore Agricultural University with headquarters at Bangalore and territorial jurisdiction over the Bangalore Revenue Division and the Mysore Revenue Division.

(b) The Dharwar Agricultural University with headquarters at Dharwar and territorial jurisdiction over the Belgaum Revenue Division and the Gulbarga Revenue Division.

(2) Notwithstanding anything contained in sub-section (1) the State Government may, at any time, by notification—

(a) exclude from the territorial jurisdiction of any University any area or include therein any other area;

(b) establish a new University altering the territorial jurisdiction of one or more Universities established and incorporated under sub-section (1):

Provided that no notification establishing a new University shall be made unless a resolution to that effect has been passed by both the Houses of the State Legislature.

(3) Every notification establishing a new University shall specify the name and headquarters of such University, its territorial jurisdiction and the date from which such University shall be established.

(4) The Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Dean, the members of the Board and the Academic Council of the University shall constitute a body corporate by the name of the University specified in sub-section (1) or in the notification issued under sub-section (2), as the case may be.

(5) Each of the said Universities shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(6) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it for the purposes of the University and to borrow moneys from the Central Government, the State Government or from any body corporate approved by the State Government, and to contract and to do other things necessary for the purposes of this Act.

(7) In all suits and other legal proceedings by or against the University the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

4. *Objects of the University.*—The University shall be deemed to be established and incorporated for the following purposes,, namely :—

(a) making provision for imparting education in different branches of study, particularly agriculture, horticul-

ture, forestry, veterinary and animal science, fisheries, agricultural engineering, home economics and other allied sciences ;

(b) furthering the advancement of learning and research, particularly in agriculture and other allied sciences ;

(c) undertaking the extension of such sciences to the rural people of the State and preparing plans for the development of agriculture and other allied sciences ; and

(d) such other purposes as the State Government may, by notification in the official Gazette, specify.

5. *Admission to the University.*—(1) The University shall subject to the provisions of this Act and the Statutes, be open to all persons :

Provided that nothing in this section shall require the University to admit to any course of study students larger in number than, or with academic or other qualifications lower than, those prescribed.

(2) Subject to the provisions of sub-section (1), the University shall, in accordance with the special or general orders of the Government, reserve seats for purposes of admission as students in any college or institution maintained or controlled by the University for the following classes of persons, namely :—

(i) the Scheduled Castes and the Scheduled Tribes ;

(ii) members of classes and communities declared by the State Government from time to time to be socially and educationally backward ;

(iii) agriculturists, and those children of agriculturists who possess such minimum qualifications and experience in agriculture as the State Government may from time to time specify ;

(iv) women ;

(v) nominees of the Central Government ;

(vi) defence personnel or ex-servicemen and their children or wards ;

Explanation.—For the purposes of this section, "agriculturist" means a person who, as an owner or tenant, holds land, the area of which does not exceed a ceiling area as defined in the Mysore Land Reforms Act, 1961 and whose main income is derived from personal cultivation of land, and includes any person whose principal means of livlihood is manual labour on agricultural land.

(3) The University may, subject to like direction, grant to persons falling under all or any of the categories specified in sub-section (2) exemption from payment of such fees or boarding, lodging or other charges or from all fees and charges, or provide for such special scholarships, as it may deem fit.

6. *Powers of the University.*—The University shall have the following powers, namely :—

(1) to provide for instruction in agriculture, horticulture, forestry, veterinary and animal science, dairying, fisheries, agricultural engineering, home economics and other allied sciences and in such other branches of learning as the University may deem fit :

(2) to make provision for research and the dissemination of the findings of research and technical information through an extension education programme or sponsoring institutions carrying on similar activities ;

(3) to insitute degrees, diplomas and other academic distinctions and confer honorary degrees ;

(4) to institute courses of study and to hold examinations for and to confer degrees, diplomas and other academic distinctions on persons who have—

(*a*) pursued a course of study as prescribed , or

(*b*) carried out research in the University or in an institution recognised in this behalf by the University, as may be prescribed ;

(5) to confer honorary degrees or other distinctions as may be prescribed;

(6) to provide lectures and instruction for field workers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed;

(7) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(8) to maintain colleges relating to agriculture, fisheries, dairying, veterinary and allied sciences and hostels and hostels therefor;

(9) to maintain laboratories, libraries, research stations and institutes, and museums for teaching, research and extension education;

(10) to make recommendations to institute teaching, research and extension education posts required by the University;

(11) to make recommendations to create administrative, ministerial and other non-teaching posts;

(12) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;

(13) to institute and maintain residential accommodation for students of the University;

(14) to fix, demand and receive such fees and other charges as may be prescribed;

(15) to supervise and control the residence, conduct and discipline of the students of the University, and to make arrangements for promoting their health and welfare;

(16) to act in pursuance of the directions given by the State Government from time to time in respect of developmental activities as envisaged in the Act.

(17) to do all such acts and things whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

7. *Jurisdiction, etc.*—(1) All colleges and research and educational institutions transferred to, vested in and maintained by the University of Agricultural Sciences prior to the appointed day and situate within the territorial jurisdiction of the Bangalore Agricultural University established under this Act, shall, with effect on and from that day stand transferred to and vest in the Bangalore Agricultural University along with all properties, assets, liabilities and obligations of the University of Agricultural Sciences and shall be maintained by the University.

(2) All colleges and research and educational institutions transferred to, vested in and maintained by the University of Agricultural Sciences prior to the appointed day and situate within the territorial jurisdiction of the Dharwar Agricultural University established under this Act, shall with effect on and from that day stand transferred to and vest in the Dharwar Agricultural University established under this Act along with all properties, assets, liabilities and obligations of the said University of Agricultural Sciences and shall be maintained by the Dharwar Agricultural University.

(3) Notwithstanding anything contained in this Act or the Statutes and Regulations made thereunder, any student of the University of Agricultural Sciences who was studying for any examination of that University shall be permitted to complete his course in preparations therefor, and the Bangalore Agricultural University established under this Act shall make arrangements for holding for such students, examinations, for such period as may be prescribed, in accordance with the curricula of studies of the University of Agricultural Sciences.

(4) The control and management of such research and educational institutions of the Department of Agriculture, the Department of Animal Husbandry and the Department

of Fisheries of the State Government and situated within the University Area shall, as from such date as the State Government may by order specify, be transferred to the University established under this Act and thereupon all the properties and assets, and liabilities and obligations, of the State Government in relation to such institutions shall stand transferred to, vest in, or devolve upon, the University.

(5) Every person employed in any of the institutions referred to in sub-section (4) immediately before the specified date shall as from the said specified date become member of the Mysore Agricultural Universities Service.

(6) If the University of Agricultural Sciences has held any examination the result of which has been published and the degree relating thereto have not been conferred or issued or the result of any such examination has not been published by the said University, then such examination shall be deemed to have been held by the Bangalore Agricultural University established under this Act.

8. *Inspection and control.*—(1) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment and of any institution, college or hostel maintained or administered, by the University, of the teaching and other work conducted by the University or under its auspices, and of the conduct of any examination held by the University; and to cause an inquiry to be made in respect of any matter connected with the administration and the finances of the University.

(2) The State Government shall in every case give notice to the Board of its intention to cause an inspection or inquiry to be made and the Board shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(3) The State Government shall communicate to the Board the views of the State Government with reference to the results of such inspection or inquiry and may, after ascertaining the opinion thereon of the Board, advise the University upon the action to be taken and fix a time limit for taking such action.

(4) The Board shall within the time limit so fixed report to the State Government the action taken or is proposed to be taken on the advice tendered by the State Government.

(5) The State Government may, where action has not been taken by the Board to the satisfaction of the State Government within the time limit fixed, and after considering any explanation furnished or representation made by the Board, issue such directions as the State Government may think fit and the Board shall comply with such directions.

(6) Notwithstanding anything contained in the preceding sub-sections if at any time the State Government is of opinion that in any matter the affairs of the University are not managed in the furtherance of the objects of the University or in accordance with the provisions of this Act, the Statutes and Regulations or that special measures are desirable to maintain the standards of University teaching, examination, or research, it may indicate to the Board any matter in regard to which it desires an explanation and call upon the Board to offer such explanation within the specified time or offers an explanation which in the opinion of the State Government is unsatisfactory, the State Government may issue such instructions as appear to it to be necessary and desirable in the circumstances of the case, and may exercise such powers as may be necessary for giving effect to those instructions.

(7) The Board shall furnish such information relating to the administration of the University as the State Government may require.

CHAPTER III

OFFICERS OF THE UNIVERSITY

9. *Officers of the University.*—The following shall be the officers of the University, namely :—

(1) The Chancellor,

(2) The Pro-Chancellor,

(3) The Vice-Chancellor,

(4) The Dean,

(5) The Comptroller,

(6) The Registrar,

(7) The Librarian,

(8) The Director of Instruction,

(9) The Director of Research,

(10) The Director of Extension,

(11) The Heads of Divisions, and

(12) such other officers working in the University as may be declared by the Statutes to be officers of the University.

10. *The Chancellor.*—(1) The Governor of the State of Mysore shall by virtue of his office be the Chancellor of the University.

(2) The Chancellor shall be the Head of the University and shall, when present, preside at any convocation of the University.

(3) No honorary degree shall be conferred by the University upon any person without the approval of the Chancellor.

11. *The Pro-Chancellor.*—(1) The Minister for Agriculture for the State of Mysore shall by virtue of his office be the Pro-Chancellor of the University.

(2) The Pro-Chancellor shall exercise such powers and perform such duties as may be conferred or imposed on him by this Act or the Statutes.

(3) The Pro-Chancellor may call for his information any papers relating to the administration of the affairs of the University from any officer of the University other than the Chancellor and such requisition shall be complied with by such officer. The Pro-Chancellor after perusing the papers so called for may give such directions in respect of any proceeding of the University relating to the administration of the affairs of the University other than the academic affairs which is not in conformity with the Act, the Statutes, and regulations, as he deems necessary and such directions shall be complied with.

(4) The annual programme of work of the University shall be referred to the Pro-Chancellor and any suggestion made by him shall be acted upon by the Board.

12. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be a whole time officer of the University.

(2) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Pro-Chancellor from out of a panel of not less than three persons recommended by a committee constituted under sub-section (3).

Provided that the first Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Pro-Chancellor:

Provided further that no person shall be appointed as to hold office as Vice-Chancellor if he has attained the age of sixty years:

Provided also that the person holding the office of the Vice-Chancellor of the University of Agricultural Sciences on the date of commencement of this Act shall continue to hold office as Vice-Chancellor of the Bangalore Agricultural University till the date he would have held that office if this Act had not been passed.

(3) The committee referred to in sub-section (2) shall consist of three persons of whom one shall be nominated

by the Syndicate and two by the Chancellor. No person nominated as a member of the committee shall be connected with the University or any college or institution maintained or recognised by the University. The Chancellor shall appoint one of the three members to be the Chairman of the committee:

Provided that if the Chancellor does not approve of any one of the persons recommended by the committee he may call for fresh recommendation from the committee.

(4) The Vice-Chancellor shall hold office during the pleasure of the Chancellor.

(5) Subject to the provisions of the second proviso to sub-section (2) and sub-sections (4) and (6) the term of office of the Vice-Chancellor shall ordinarily be for a period of three years but he shall be eligible for reappointment.

(5) Subject to the provisions of sub-section (6) the Vice-Chancellor shall hold office during the pleasure of the Chancellor.

(6) The emoluments and other service conditions of the Vice-Chancellor shall be such as may be determined by the Pro-Chancellor and shall not be varied to his disadvantage after his appointment.

13. *Power and duties of the Vice-Chancellor.*—The Vice-Chancellor shall be the principal executive and academic officer of the University and the *ex-officio* Chairman of the Board and the Academic Council. He shall, in the absence of the Chancellor and the Pro-Chancellor, preside at a Convocation of the University and shall confer degrees or diplomas on persons entitled to receive them.

(2) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(3) The Vice-Chancellor shall convene meetings of the Board and the Academic Council.

(4) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act, the Statutes and Regulations, and he shall possess all such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and the annual accounts and the balance sheet to the Board.

(6) The Vice-Chancellor shall be responsible for the preparation and submission of the Annual Report to the Board.

(7) The Vice-Chancellor may, subject to the control of the Pro-Chancellor, take action in any emergency which in his opinion calls for immediate action. He shall in such a case, and as soon as may be thereafter, report his action to the authority which would ordinarily have dealt with the matter.

(8) Where any action taken by the Vice-Chancellor under sub-section (7) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Board within thirty days from the date on which such person has notice of the action taken.

(9) Any person aggrieved by the appellate order of the Board may within thirty days from the date of communication of such order to him appeal to the Pro-Chancellor and the decision of the Pro-Chancellor on such appeal shall be final.

(10) Subject to the provisions of the preceding sub-sections, the Vice-Chancellor shall give effect to the orders of the Board.

(11) The Vice-Chancellor shall be responsible for the proper administration of the University and for a close co-ordination and integration of teaching, research and extension education and shall act according to the directions given by the Chancellor or the Pro-Chancellor.

(12) The Vice-Chancellor shall exercise such other powers as may be prescribed.

14. *The Dean.*—(1) The Dean shall be a whole time officer of the University and shall be appointed by the Pro-Chancellor in consultation with the Vice-Chancellor.

(2) The Dean shall exercise such powers and perform such functions of the Vice-Chancellor as the Vice-Chancellor may with the approval of the Board delegate to the Dean.

15. *The Comptroller.*—(1) The Comptroller shall be a whole time officer of the University and shall be appointed by the Pro-Chancellor in consultation with the Vice-Chancellor.

(2) The Comptroller shall manage the property and investments of the University, and advice in regard to its financial policy. He shall be responsible for all matters relating to the accounts of the University including the preparation of the annual financial estimates and the annual accounts and the balance sheet.

(3) The Comptroller shall,—

(*a*) ensure that no expenditure not authorised in the financial estimates as approved by the Board, is incurred by the University; and

(*b*) disallow any expenditure not warranted by the terms of any Statute or for which provision is required to be made by a Statute but has not been made.

16. *Registrar.*—(1) The Registrar shall be a whole time officer of the University and shall be appointed by the Pro-Chancellor in consultation with the Vice-Chancellor.

(2) The Registrar shall be responsible for the due custody of records and the common seal of the University. He shall *ex-officio* be the secretary of the Board and the Academic Council, and shall be bound to place before them all such information as may be necessary for the transaction

of the business. He shall receive applications for entrance to the Univerity, and shall keep a permanent record of all courses, curricula and other information as may be necessary.

(3) The Registrar shall be responsible for making arrangements for the conduct of the examinations as may be prescribed and shall make all other arrangements necessary therefor and be responsible for the due execution of all processes connected therewith.

(4) The Registrar shall perform such other duties as may be prescribed, or required, from time to time, by the Board or the Vice-Chancellor.

17. *The Librarian.*—The Librarian shall be a whole time officer of the University and shall be in charge of the Library. He shall be responsible to the Vice-Chancellor for all matters concerning the Library.

18. *The Director of Instruction.*—(1) The Director of Instruction shall be a whole time officer of the University.

(2) The Director shall be responsible to the Vice-Chancellor for all matters concerning the college or colleges under his control.

(3) The Director shall be responsible for the organisation and conduct of teaching, research and extension education of the college or colleges under his control.

(4) The Director shall exercise such other powers and perform such other functions as may be prescribed.

19. *The Director of Research.*—The Director of Research shall be a wholetime officer of the University. He shall be responsible for the due performance of the functions of the research stations, and shall co-ordinate research work and exercise such other powers and perform such other functions as may be prescribed.

20. *The Director of Extension.*—The Director of Extension shall be a whole time officer of the University. He shall be responsible for planning and execution of programmes of extension work based on the results of research work and shall perform such other functions as may be prescribed.

21. *Heads of Divisions.*—(1) There shall be the following Heads of Divisions, namely:—

(i) Head of Basic Sciences and Humanities Division,
(ii) Head of Plant and Soil Sciences Division,
(iii) Head of Horticulture Sciences Division,
(iv) Head of Animal Sciences Division,
(v) Head of Dairying Sciences Division,
(vi) Head of Veterinary Sciences Division,
(vii) Head of Fisheries Sciences Division,
(viii) Head of Home Economics Division,
(ix) Head of Agriculture Engineering Sciences Division,
(x) Head of Forestry Sciences Division,
(xi) Head of Agricultural Sciences Division,
(xii) Head of Agricultural Extension, Education Division.

(2) The Heads of Divisions shall be whole time employees of the University technically trained in the subject concerned and shall be responsible to the Dean and the Director concerned and shall exercise such powers and perform such functions in respect of the Division concerned as may be prescribed.

22. *Officers of the University not to accept any remuneration other than that provided for by Statutes.*—The officers of the University shall not be offered nor shall they accept any remuneration for any work in the University save such as may be provided for by the Statutes.

23. *Other Officers.*—The powers and duties of the officers of the Universitiy referred to in clause (12) of section 9 shall be such as may be prescribed.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

24. *Authorities of the University.*—The following shall be the authorities of the University, namely :—

(1) The Board of Regents,

(2) The Academic Council,

(3) The Board of Studies, and

(4) Such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

25. *The Board.*—(1) The Board shall consist of the following members namely :—

(A) *Ex-Officio Members.*

(i) The Vice-Chancellor,

(ii) The Commissioner for Finance and Secretary to the Government of Mysore, Finance Department.

(iii) The Secretary to the Government of Mysore, Agriculture and Forest Department.

(iv) The Commissioner for Education and Secretary to the Government of Mysore, Education Department.

(v) The Director of Agriculture in Mysore.

(vi) The Director of Animal Husbandry in Mysore.

(vii) The Director of Horticulture in Mysore.

(viii) The Director of Fisheries in Mysore.

(ix) The Dean of the University.

(x) The Chief Conservator of Forests (General).

(xi) The Director of Instruction/Research/Extension by rotation in the aforesaid order each holding office for a period of one year.

(B) *Other Members.*

(i) Five members not being Government servants, nominated by the Chancellor on the recommendation of the Pro-Chancellor from among progressive farmers ;

(ii) five persons, not being Government servants, nominated by the State Government from among persons interested in agricultural education ;

(iii) two persons, not being Government servants, nominated by the State Government from among registered graduates of not less than five years standing of the University.

(iv) four members of the Mysore Legislature, (three from the Mysore Legislative Assembly and one from the Mysore Legislative Council) elected by the respective Houses according to the principle of proportional representation by means of a single transferable vote.

(v) one person nominated by the Director General of Indian Council of Agricultural Research representing Indian Council of Agricultural Research.

(2) The term of office of the members of the Board other than *ex-officio* members shall be three years :

Provided that the term of office of any member nominated to fill a casual vacancy shall be the residuary term of his predecessor.

(3) Six members of the Board shall form the quorum for a meeting of the Board.

(4) The members of the Board shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may be prescribed.

26. *Powers and duties of the Board.*—The Board shall exercise and perform the following powers and duties, namely :—

(*a*) to approve the financial estimates of the University submitted by the Vice-Chancellor ;

(*b*) to hold and to control the property and funds of the University and issue any general or special instructions on behalf of the University ;

(*c*) to accept the transfer and to dispose of any movable or immovable property on behalf of the University ;

(*d*) to administer public and private funds placed at the disposal of and accepted by the University for specific purposes ;

(*e*) to invest money belonging to the University ;

(*f*) to direct the form and use of the common seal of the University ;

(*g*) to appoint such committees, whether standing or temporary, as it may deem necessary for its proper functioning ;

(*h*) with the approval of the State Government, to borrow, on the security of the property of the University or otherwise, money for purposes of the University ;

(*i*) to meet at such time and in such places as it deems necessary, provided that one ordinary meeting shall be held every quarter, and atleast one half of its ordinary meetings shall be held at the seat of the University ;

(*j*) to consider and pass resolutions on the annual report ; and

(*k*) to regulate and determine all matters concerning the University in accordance with this Act and the Statutes, and to exercise such powers and to discharge such duties as may be conferred or imposed on it by this Act and the Statutes.

27. *The Academic Council.*—(1) The Academic Council shall be incharge of the academic affairs of the University and shall, subject to the provisions of this Act and the Statutes, superintend, direct and control, and be responsible for, the maintenance of standards of instruction, education and examinations and other matters connected with the conferment of degrees or award of diplomas, and shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes.

(2) It shall have the right to advise the Vice-Chancellor on all academic matters.

(3) The Academic Council shall consist of the following members, namely:—

(*a*) The Vice-Chancellor,

(*b*) The Dean,

(*c*) The Director of Instruction,

(*d*) The Director of Research,

(*e*) The Direcor of Extension,

(*f*) The Heads of Divisions,

(*g*) Ten other Professors to be nominated by the Chancellor on the recommendation of the Pro-Chancellor.

28. *Powers of the Academic Council.*—The Academic Council shall, subject to the provisions of this Act and the Statutes, have the power, by Regulations, of prescribing all courses of study and of determining curricula and have general control on teaching, research, and extension education within the University and be responsible for the maintenance of standards thereof. It shall have power to make Regulations consistent with this Act and the Statutes relating to all matters subject to its control and to amend or repeal such Regulations.

(2) In particular and without prejudice to the generality of the foregoing powers, the Academic Council shall have power,—

(*a*) to advise the Board on all academic matters, including the control and management of libraries;

(*b*) to make recommendations for the institution of Professorships, Associate Professorships, Readerships and Teacherships and other teaching posts and in regard to the duties and emoluments thereof;

(*c*) to formulate, modify or revise schemes for the constitution or reconstitution of Departments of teaching, research and extension education;

(*d*) to make regulations regarding the admission of students to the University;

(*e*) to make regulations regarding examinations conducted by the University and the conditions on which students shall be admitted to such examinations;

(*f*) to make regulations relating to courses of study leading to degrees, diplomas and certificates;

(*g*) to make recommendations regarding post-graduate teaching, research and extension education;

(*h*) to make recommendations regarding the qualifications to be prescribed for teachers in the University; and

(*i*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions at this Act.

29. *The Board of Studies.*—There shall be a Board of Studies in each Department of teaching. The constitution and powers of the Boards of Studies shall be as prescribed by the Statutes.

CHAPTER V

UNIVERSITY FUNDS

30. *General Funds.*—The University shall have a general fund to which shall be credited,—

(i) its income from fees, endowments and grants, if any ;

(ii) contributions or grants, which may be made by the Government on such conditions as it may impose ;

(iii) other contributions receipts, grants, donations and benefactions.

31. *Foundation fund.*—(1) The University shall form a fund called the Foundation Fund from contributions and grants made by the Central Government and the State Government for being credited to that fund and of such other sums of the University which may be credited to the said fund.

(2) All the moneys in the Foundation Fund shall be invested in the securities mentioned or referred to in clauses (*a*) to (*d*) of section 20 of the Indian Trust Act, 1882.

32. *Other funds.*—The University may have such other funds as may be prescribed by the Statutes.

33. *Management of Funds.*—The General Fund, the Foundation Fund and the other funds of the University shall be managed according to the provisions laid down in the Statutes.

34. *Government grants.*—(1) The State Government shall be managed according to the provisions laid down University as follows :——

(i) a grant not less than the net expenditure incurred in the year 1971-72 on such of the activties and institutions of the Agriculture, Animal Husbandry and other Government Departments as are transferred to the University under Section 7 ;

(ii) a grant not less than the net expenditure in the year 1971-72 on such of the activities and institutions of the University of Agricultural Sciences as are transferred to the University under section 7 ;

(iii) a grant to meet such additional items of expenditure recurring and non-recurring as the State Government may deem necessary for the proper functioning of the University.

(2) The State Government shall also make a non-lapsable lumpsum grant to the University in respect of schemes included in the Five Year Plan and transferred for implementation by the University, of a amount equal to the net outlay as shown in the annual Plan after deducting the anticipated assistance from the Central Government and other agencies sponsoring such schemes.

(3) Notwithstanding anything contained in sub-section (1), with effect from the seventh financial year after the establishment of the University, in respect of the activities, institutions, staff, contingencies, supplies and services referred to in clauses (i), (ii) and (iii) of sub-section (1), an amount, not less than the average of the actual expenditure incurred in respect of such activities and institutions, staff, supplies and services during the preceding three years, shall be paid every year as non-lapsable lumpsum grant to the University.:

Provided that if the University commences to function from any date after the first day of April in any financial year, the grants under clauses (i), (ii) and (iii) shall be fixed taking into consideration the expenditure the University will have to incur for the unexpired portion of that financial year.

(4) The University shall furnish statements, accounts, reports and other particulars as the State Government may require before any grant is made by the Government, and shall take such action and furnish such statements, accounts, reports and other particulars relating to the utilisation of

any grant, within such time and in such manner as the State Government may direct.

(5) It shall be competent for the University in furtherance of its objects to accept grants from the Government of Mysore and any other State Government or the Central Government or statutory bodies, and endowments or donations under such conditions as may be agreed upon between the University and the grantor or donor.

35. *Power of Government to order auditing.*—The State Government shall have power at any time to order any audit of the accounts of the University by such auditors as it may direct.

36. *Financial Estimates.*—(1) The Vice-Chancellor shall cause to be prepared on or before such date as may be prescribed, the financial estimates of the University for the ensuing year and submit the same to the Board for its approval.

(2) The Board may approve the financial estimates subject to such modifications as it deems fit, and no expenditure shall be incurred except in accordance with the financial estimates as approved by the Board.

37. *Accounts and Auditing.*—(1) The annual accounts and the balance sheet of the University shall be prepared under the direction of the Vice-Chancellor and all moneys accruing to or received by the University from whatever source and all amounts disbursed or paid by the University shall be entered in the accounts.

(2) The annual accounts and the balance sheet shall be submitted by the Vice-Chancellor to the State Government which shall cause an audit to be carried out by such persons as it may appoint in this behalf. The accounts when audited, shall be printed and copies thereof, together with the audit report, shall be presented by the Vice-Chancellor to the Board and the Pro-Chancellor.

(3) The Board shall submit a copy of the accounts and the report to the State Government along with a statement of the action taken by the University on the audit report, and the State Government shall cause the same to be laid before both the Houses of the State Legislature.

38. *Annual Report.*—(1) The Vice-Chancellor shall prepare the Annual Report containing such particulars as the Board may specify, covering each financial year and submit it to the Board on or before such date as may be prescribed by Statutes. The Board may pass resolutions thereon and the Vice-Chancellor shall take action in accordance therewith. The action taken shall be intimated to the Board.

(2) Copies of the Annual Report alongwith the resolutions of the Board thereon shall be sent to the State Government and the State Government shall cause the same to be laid before both the Houses of the State Legislature.

CHAPTER VI

Statutes and Regulations

39. *Statutes.*—Subject to the provisions of this Act, Statutes may provide for any matter and shall, in particular, provide for the following :—

(*a*) the constitution, powers and duties of the authorities of the University ;

(*b*) the holding of convocations and conferment of degrees and award of diplomas ;

(*c*) the institution of degrees and diplomas ;

(*d*) conferment of honorary degrees ;

(*e*) the establishment, amalgamation, sub-division and abolition of Divisions ;

(*f*) the establishment and the abolition of hostels maintained by the University ;

(*g*) the institution of fellowships, scholarships, studentships, bursaries, medals and prizes ;

(*h*) the maintenance of a register of registered graduates ;

(*i*) the admission of students to the University and their enrolment and continuance as such ;

(*j*) the courses of study to be laid down for degrees and diplomas of the University ;

(*k*) the conditions under which students shall be admitted to the degree, diploma or other courses and to the examinations of the University, and the eligibility for the conferment of degrees and award of diplomas ;

(*l*) the conditions of residence of the students of the University and the levying of fees for residence in hostels maintained by the University ;

(*m*) the recognition and supervision of hostels not maintained by the University ;

(*n*) the fees which may be charged by the University for any purpose ;

(*o*) the conditions subject to which persons may be recognised as qualified to give instruction in the hostels ;

(*p*) the conditions and the mode of appointment and duties of the examining bodies, examiners and moderators ;

(*q*) the conduct of examinations ;

(*r*) the remuneration and allowances including travelling and daily allowances, to be paid to persons employed on the business of the University ;

(*s*) the conditions for the award of fellowships, scholarships, medals and prizes, stipends and fees concessions ; and

(*t*) all other matters, which by this Act are to be or may be provided for by the Statutes.

40. *Statutes, how made.*—(1) In so far as they are not inconsistent with the provisions of this Act, the Statutes of the University of Agricultural Sciences as in force

immediately before the appointed day shall be deemed to be the statutes of the Universities established under this Act and shall remain in force until amended, repalced or added to in accordance with the provisions of this Act.

(2) The Board may from time to time make new or additional Statutes and may amend or repeal the Statutes in the manner hereinafter in this section provided.

(3) The Academic Council may propose to the Board the draft of any Statute to be passed by the Board and such draft shall be considered by the Board at its next meeting;

Provided that the Academic Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the status, powers or constitution of any authority of the University, until such authority has been given an opportunity to express its opinion upon the proposal, and any opinion so expressed shall be considered by the Board.

(4) The Board may approve any such draft as is referred to in sub-section (3) and pass the Statute or reject it or return it to the Academic Council for reconsideration either in whole or in part, together with any amendments which it may suggest.

(5) Any member of the Board may propose to the Board the draft of any Statute and the Board may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council. In case such a draft relates to a matter within the purview of the Academic Council, the Board shall refer it for consideration to the Academic Council, which may either report to the Board that it does not approve the proposal, which shall then be taken to have been rejected by the Board, or submit the draft to the Board in such form as the Academic Council may approve, and the provisions of this section shall apply in the case of a draft so submitted as they apply in the case of a draft proposed to the Board by the Academic Council.

(6) A new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous

approval of the Pro-Chancellor who may sanction, disallow or remit it for further consideration.

(7) Every Statute made under this Act shall be published in the Official Gazette.

41. *Regulations.*—(1) The authorities of the University may, by notification in the Official Gazette, make Regulations consistent with this Act and the Statutes,—

(*a*) laying down the procedure to be observed at their meetings and the number of members required to form the quorum;

(*b*) providing for the matters which by this Act or the Statutes have to be provided by Regulations;

(*c*) providing for any other matter solely concerning such authorities and not provided for by this Act and the Statutes.

(2) Every Authority of the University shall make Regulations providing for the giving of notice to the members of such Authority of the dates of meetings and the business to be considered at meeting and for keeping of a record of the proceedings of the meetings.

(3) The Academic Council may, subject to the provisions of the Statutes, make Regulations providing for courses of study, system of examinations, and degrees and diplomas of the University after receiving drafts of the same from the Board of Studies concerned.

(4) The Academic Council may not alter a draft received from the Board of Studies, but may reject the draft or return it to the Board of studies for further consideration together with its suggestions.

(5) The Board may direct the amendment, in such manner as it may specify, of any regulation made under this section or the annulment of any Regulation made under sub-section (1) by any Authority of the University.

CHAPTER VII

MISCELLANEOUS

42. *Vacating of office.*—(1) Any member other than an *ex-officio* member, of any Authority of the University may resign his office by letter addressed to the Registrar.

(2) Any member of any Authority of the University shall cease to be a member on his being convicted by a court of law of an offence which involves moral turpitude.

43. *Filling up of casual vacancies.*—When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority of the University before the expiry of the term of the office of such member, the vacancy shall be filled up, as soon as conveniently may be, after the occurrence of the vacancy.

44. *Savings of validity of acts and proceedings.*—No act done or proceedings taken under this Act shall be questioned merely on the ground—

(*a*) of any vacancy or defect in the constitution of any authority, or

(*b*) of any defect or irregularity in such act or proceeding not affecting the merits of the case.

45. *Disputes as to constitution of University Authorities.*—If any question arises regarding the interpretation of any provision of this Act, or of any Statute or Regulation, or as to whether a person has been duly appointed as, or is entitled to be a member of any authority of the University, the matter may be referred to the Pro-Chancellor and shall be so referred to him if six members of the Board so require. The Pro-Chancellor shall, after taking such advice as he deems necessary, decide the question, and his decision shall be final.

46. *Delegation of powers.*—The Board may, by Statutes, delegate to any officer or authority of the University any of the powers conferred on it by this Act or by the Statutes to be exercised subject to such restrictions and conditions as may be prescribed.

47. *Provision for temporary appointment of certain officers of the University.*—Until such time as the authorities of the University are duly constituted, any officer of the University may be temporarily appointed by the Vice-Chancellor. Such appointment and the terms and conditions thereof shall have the prior approval of the Pro-Chancellor.

48. *Protection of acts and orders.*—(1) Save as otherwise provided in this Act, all acts and orders in good faith done and passed by the University or any of its authorities shall be final and no suit shall be instituted against or damage claimed from the University or its authorities for anything done or purported to be done in pursuance of this Act and the Statutes and Regulations made thereunder.

(2) (*a*) No suit, prosecution or other proceeding shall lie against any officer or other employee of the University for any act done or purporting to be done under this Act or the Statutes or Regulations, without the previous sanction of the Board.

(*b*) No officer or other employee of the University shall be liable in respect of any such act in any civil or criminal proceedings if the act was done in good faith in the course of the execution of duties or the discharge of the functions imposed by or under this Act.

49. *Removal by Pro-Chancellor of difficulties at the commencement of this Act.*—If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in giving effect to the provisions of this Act or the Statutes the Pro-Chancellor may, at any time before

all authorities of the University have been constituted, by order make any appointment or do anything consistent, so far as may be with the provisions of this Act and the Statutes, which appear to him necessary or expedient for the purpose of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

Provided that, before making any such order, the Pro-Chancellor shall ascertain and consider the opinion of the Vice-Chancellor, and of such of the appropriate authorities of the University as may have been constituted, on the proposed order.

50. *Transitory provisions.*—Notwithstanding anything contained in this Act, the Vice-Chancellor, may, for a period of one year from the commencement of this Act and with the previous approval of the Pro-Chancellor and subject to the provision of funds by the State Government or otherwise, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and for that purpose may exercise any powers or perform any duties which by this Act are to be exercised performed by any officer or authority of the University, not being an officer or authority in existence at the time when such powers are exercised or such duties are performed.

51. *Continuance of Statutes, Regulations, etc.*—Until Statutes and Regulations are made under the appropriate provisions of this Act, the Statutes and Regulations which were in force in the University of Agricultural Sciences immediatley before the commencement of this Act shall, subject to such adaptations or modifications as may be made, therein by the Vice-Chancellor with the approval of the Pro-Chancellor in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes and Regulations made under the appropriate provisions of this Act.

52. *Vice-Chancellor to take necessary action for selection, appointment, nomination and co option of members to the Board and the Academic Council.*—The Vice-Chancellor shall take necessary action for elections being held, appointments, nominations and co-options being made, under this Act so that the Board and the Academic Council shall come into existence not later than the period specified in section 50.

53. *The Mysore Agricultural Universities Service.*—(1) Notwithstanding anything contained in this Act or in any other law for the time being in force all posts of officers (other than the Chancellor, the Pro-Chancellor and the Vice-Chancellor) and servants of a University shall be filled by appointment of officers belonging to the Mysore Agricultural Universities service:

Provided that the Government may fill any post by deputation of any officer of any other service holding a post of an equivalent grade or higher grade.

(2) Every employee of the University of Agricultural Sciences immediately before the appointed day shall on and from the appointed day be deemed to have been employed by and become an employee of the State Government and a member of the Mysore Agricultural Universities Service and shall hold his office in the Bangalore Agricultural University or the Dharwar Agricultural University, as the case may be, established under section 3 by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held the same on the appointed day if this Act had not been passed and shall continue to do so unless and until his employment under the State Government is terminated or until his remuneration, terms and other conditions of service are duly altered by the State Government;

Provided that nothing contained in this sub-section shall apply to any such employee who has, by notice in

writing given to the State Government prior to the appointed day, intimated his intention of not becoming an employee of the State Government.

(3) (*a*) Where the Government is satisfied that for the purpose of securing uniformity in the scales of remuneration and other terms and conditions of service applicable to the employees referred to in sub-section (2), it is necessary so to do, or that, in the interest of the Universities a reduction in the remuneration payable, or a revision of other terms and conditions of service applicable to employees of any class is called for, the State Government may, notwithstanding anything contained in sub-section (2) or in the Industrial Disputes Act, 1947, or in any other law for the time being in force, or in any award, settlement, contract or agreement for the time being in force alter (whether by way of reduction or otherwise) the remuneration or other terms and conditions of service to such extent and in such manner as it thinks fit, and if the alteration is not acceptable to any employee, the Government may, terminate his employment by giving him compensation equivalent to three months remuneration unless the contract of service with such employee provides for a shorter notice of termination.

(*b*) The compensation payable to any employee under this sub-section shall be in addition to and shall not affect, any pension, gratuity, provident fund money or any other benefit to which the employee may be entitled under his contract of service.

(4) Notwithstanding anything contained in the Industries Disputes Act, 1947, or in any other law for the time being in force, the transfer of services of any employee referred to in sub-section (2) to the Government shall not entitle any such employee to any compensation under that Act or any other law and no such claim shall be entertained by any court, Tribunal or other authority.

54. *Agricultural Universities Administration Establishment Fund.*—(1) There shall be constituted by Government an Agricultural Univerities Administration Establishment Fund to meet the expenditure in respect of salaries, allowances, pensions provident fund, gratuties and other ncessary expenses payable to the officers of the Mysore Agricultural Universities Service.

(2) Notwithstanding anything contained in this Act; or any other law for the time being in force every University shall every year contribute such sum to the Agricultural University Administration Establishment Fund in such manner and at such times as the Government may by order determine.

(3) If the University fails to pay the amount required to be paid under sub-section (2) the Government may direct the officer in custody of the funds of the University concerned to pay such or so much thereof as is possible from the balance of such funds in his hands.

55. *Provident Fund, etc.*—If the University of Agricultural Sciences has established a provident fund or superannuation fund or any other fund for the benefit of its employees the moneys standing to the credit of any such fund on the appointed day together with any other assets belnging to such fund, shall, stand transferred to and vest in the State Government on the appointed day.

56. *Repeal.*—The University of Agricultural Sciences Act, 1963 is hereby repealed and on such repeal all authorities of the University of Agricultural Sciences shall stand dissolved.

(2) Notwithstanding such repeal, all payments made, orders issued, degrees conferred or issued, privileges granted or other things done under the said enactment and in force immediately before the commencement of this Act shall so far as they are not inconsistent with this Act, be deemed

to have been respectively made, issued, conferred, granted or done under this Act.

(3) Notwithstanding the repeal of the said Act referred to in sub-section (1), the State Government shall have the right to cause accounts of the University established and incorporated under the said Act to be audited by such agency as it thinks fit and on the receipt of the audited report to take such action thereon as it may consider necessary.

STATEMENT OF OBJECTS AND REASONS

The State Cabinet has already approved in principle the establishment of the second University of Agricultural Sciences by upgrading the existing Agricultural College at Dharwar. This decision was taken in consideration of the diversity of crops in Mysore State, its two broadly distinct agro-climatic zones and the distance separating the northern agro-climatic region from the existing University at Bangalore. It has been considered desirable and expedient to go in for a common Act for the two Universities. Some of the important changes incorporated in the proposed Act—apart from those necessiated by the establishment of the second University—pertain to the following matters :

(*a*) Addition of 'Forestry' among the Agricultural Sciences ;

(*b*) Strengthening the representation of academicians in the Academic Council ;

(*c*) Keeping the State Legislature apprised of the general working of the University ;

(*d*) Clearly defining the role and power of the Pro-Chancellor ;

(*e*) Prescribing a new mode of appointment of the Vice-Chancellor in order to remove the possibilities of non-academic considerations entering into the selection of a suitable person to occupy that post ;

(*f*) Placing age-limit for the office of the Vice-Chancellor ;

(*g*) Constituting an Agricultural Universities Service and making all employees of the Universities Government servants.

Hence this bill.

FINANCIAL MEMORANDUM

The existing University of Agricultural Sciences at Hebbal, Bangalore is financed out of the grants received from the Indian Council of Agricultural Research and the State Government. State Government gives grants of two types, *viz*: Block Grant and Development Grant. The Block Grant is meant to enable the University to meet the expenditure on maintenance, including salaries of the staff. The Development Grant is meant to supplement the funds received from the Indian Council of Agricultural Research for developmental projects undertaken by the University, with the stipulation that it is to be spent with the prior approval of the State Government as regards the developmental schemes financed by it. The Block and Development Grants have been fixed at present at Rs. 1.40 crores and Rs. 50 lakhs, respectively. Once the establishment of the new University is cleared by the University Grants Commission, the Indian Council of Agricultural Research will stand committed to giving funds to the new University. It is expected that besides such share of the Block and Development Grants as may be assigned to the new University, additional grants will also be sanctioned by the Indian Council of Agricultural Research for the new University, based either on an ad hoc assessment of requirement or on the recommendations of a study team, if any, which the University Grants Commission may send to report on the requirements of the new University.

Since the assets and institutions belonging to the existing University at Hebbal, Bangalore has to be apportioned amongst the two Universities, the initial expenditure during the year 1973-74 on upgrading the Agricultural College at Dharwar into the main campus of the new University is not expected to exceed Rs. 10 lakhs.

The employees of the Universities are being made Government servants. Their pay and allowances will have to be paid from the Consolidated Fund of the State, but to

meet the expenditure in respect of their salaries, allowances, etc., the Universities are required to contribute to a Fund called the Agricultural Universities Administration Establishment Fund. Hence on the whole there is no additional expenditure from the Consolidated Fund of the State on that account.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Under clause 40 power of making new or additional statutes and the power to amend or repeal statutes is conferred on the Board. The matter in respect of which the statutes can be made are specified in clause 39.

Under clause 41 power to make regulations in respect of matters referred to therein is conferred on the different authorities of the university.

The proposed delegation of legislative power is of normal character.

K. H. PATIL

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TE. HANUMANTHAPPA,
Secretary.